

United States District Court

for

District of Guam

FILED
DISTRICT COURT OF GUAM

MAR - 6 2006

MARY L.M. MORAN
CLERK OF COURT

**Report for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearings is Attached)

Name of Offender: **Henry T. Quintanilla**

Case Number: **CR 95-00128-001**

Name of Sentencing Judicial Officer: **John S. Unpingco**

Date of Original Sentence: **February 16, 1996**

Original Offense: **Receiving, Concealing or Disposing of Stolen Explosive Materials, in violation of 18 U.S.C. § 842(h).**

Original Sentence: **Sentenced to 51 months imprisonment followed by three years of supervised release with conditions to include that the he not possess, use, administer, or distribute any narcotic or controlled substance; be subjected to random and scheduled urinalysis; shall attend drug treatment or aftercare; not commit another federal, state, or local crime; not illegally possess a controlled substance; refrain from unlawful use of a controlled substance; submit to one urinalysis within 15 days of release from imprisonment and at least two periodic drug tests thereafter; comply with the standard conditions of supervision; perform 300 hours of community service; and pay a \$50 special assessment fee. **Modified on December 16, 2003** to include that he perform an additional 150 hours of community service. **Modified on June 25, 2004** to include that he perform an additional 150 hours of community service. **Modified on 2/27/06** to include that he serve two months home confinement.**

Type of Supervision: **Supervised Release**

Date Supervision Commenced: **September 1, 2003**

PETITIONING THE COURT

☐ To extend the term of supervision for _____ years, for a total term of _____ years.

☒ To modify the conditions of supervision as follows:

1. The defendant shall serve five (5) days of intermittent confinement, pursuant to Title 18 U.S.C. § 3583(e)(2), 3583(d)(3) at the direction of the U.S. Probation Office, the Bureau of Prisons, and the U.S. Marshals Office.

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ORIGINAL

CAUSE

On February 16, 1996, Henry Taitague Quintanilla was sentenced by the Honorable John S. Unpingco for Receiving, Concealing, or Disposing of Stolen Explosive Materials, in violation of 18 U.S.C. § 842(h). He received a 51 month term of imprisonment, followed by a three year term of supervised release with various conditions, to include that he refrain from any unlawful use of a controlled substance.

On February 13, 2006, Mr. Quintanilla failed to report for a scheduled urinalysis at the drug testing vendor. On February 14, 2006, he met with U.S. Probation Officer Robert Carreon to discuss his compliance with drug testing. He was subjected to urinalysis, which tested presumptive positive for methamphetamine. Mr. Quintanilla executed an admission form, admitting to using methamphetamine on February 9 or 10, 2006. On February 16, 2006, Mr. Quintanilla failed to report for a scheduled urinalysis at the drug testing vendor. On February 17, 2006, he met with this Officer to discuss his compliance with drug testing. He was subjected to urinalysis, which tested presumptive positive for methamphetamine. Mr. Quintanilla executed an admission form, admitting to using methamphetamine on February 15, 2006.

Mr. Quintanilla completed his initial drug treatment program on December 18, 2004 and completed his community service requirement on November 17, 2004. He has been referred for additional drug treatment and testing. In addition, he voluntarily submitted to a DNA sample of his blood on April 22, 2005.

Based on the information above, this Officer respectfully requests that the Court modify the conditions of supervised release, pursuant to 18 U.S.C. § 3583(e)(2), to include that Mr. Quintanilla serve five days of intermittent confinement as a sanction for his noncompliance. Attached is Probation Form 49, Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision, with Mr. Quintanilla's consent to the modification.

Reviewed by:


ROSSANNA VILLAGOMEZ-AGUON

U.S. Probation Officer
Supervision Unit Leader

Date: 2/28/06

Respectfully submitted,

by:


JOHN W. SAN NICOLAS II

U.S. Probation Officer

Date: 2/28/06

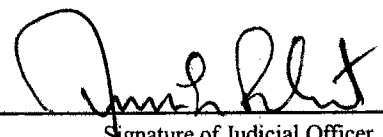
THE COURT ORDERS

- ☐ No Action.
- ☐ The Extension of Supervision as Noted Above.
- ☒ The Modification of Conditions as Noted Above.
- ☐ Other The issuance of a Summons or a Warrant (circle one)

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DISTRICT COURT OF GUAM
HAGATNA, GUAM


Signature of Judicial Officer
JAMES L. ROBERT, Designated Judge
March 6, 2006

Date

United States District Court

for

District of Guam

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

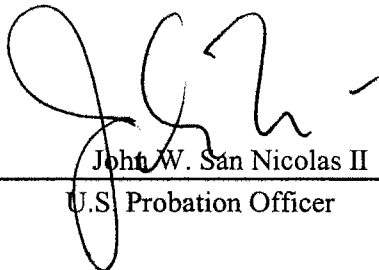
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

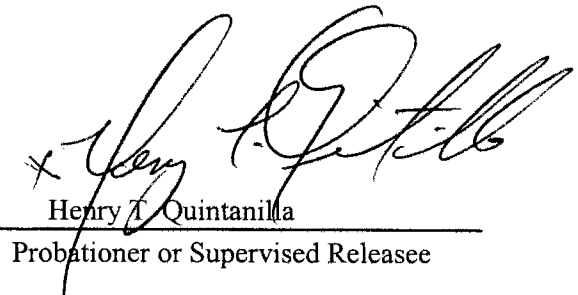
I agree to the modification of my supervised release conditions to include the following conditions:

1. The defendant shall serve five (5) days of intermittent confinement, pursuant to Title 18 U.S.C. § 3583(e)(2), 3583(d)(3) at the direction of the U.S. Probation Office, the Bureau of Prisons, and the U.S. Marshals Office.

Witness:


John W. San Nicolas II
U.S. Probation Officer

Signed:


Henry T. Quintanilla
Probationer or Supervised Releasee

February 17, 2006

Date